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#309

Patent Attorney  
Docket No. 81448

TRANSMITTAL LETTER

Inventors: ROBERT D. GIBSON ET AL.

Serial No: 09/454,761

Filed: December 6, 1999

Notice of Allowance:

For: METHOD AND APPARATUS FOR PREPARING BONED PORK PRODUCTS

Group Art Unit: 1761

Examiner: Unknown

Batch:

Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

Transmitted herewith for the above-identified patent application are the following:

Request to Credit Deposit Account for Overpayment of Fee

Copy of Papers filed 2-28-00


Copy of Monthly Statement of Deposit Account dated 3-31-00 for  
Account No. 11-1755.

A return postcard

The item(s) checked below are appropriate:

- a 1.      Applicant(s) hereby petition(s) for a ( ) month extension of time to respond to  
dated
2. X Please charge any fees or costs not accounted for to Deposit Account No. 11-  
1755.

Date: April 20, 2000

  
Edward M. Kriegsman  
Reg. No. 33,529

KRIEGSMAN & KRIEGSMAN  
883 Edgell Road  
Suite 100  
Framingham, MA 01701  
(508) 877-8588

I hereby certify that this correspondence is being deposited with the United States Postal  
Service as first class mail in an envelope addressed to Assistant Commissioner for Patents,  
Washington, D. C. 20231 on April 20, 2000.

  
Edward M. Kriegsman

200 APR 27 AM 11:53

RECEIPT ACCOUNTING  
DIVISION



PATENT  
Attorney Docket No. 81448

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*VI 5*

In re Application of: )  
 )  
ROBERT D. GIBSON ET AL. )  
 )  
Serial No.: 09/454,761 ) Group Art Unit: 1761  
 )  
Filed: December 6, 1999 ) Examiner: Unknown  
 )  
For: METHOD AND APPARATUS )  
FOR PREPARING BONED PORK )  
PRODUCTS )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

REQUEST TO CREDIT DEPOSIT ACCOUNT FOR OVERPAYMENT OF FEE

This is a request to credit Deposit Account No. 11-1755 for the charging by the Patent Office of a \$35 fee in connection with the above-identified patent application, the charging of said \$35 fee believed to be in error.

On January 20, 2000, the Patent Office mailed a Notice to File Missing Parts in the subject application. In said Notice, the Patent Office indicated that (i) the oath or declaration and (ii) the statutory basic filing fee of \$760 were missing and stated that these items, together with a \$130 surcharge, were due by March 20, 2000.

On February 28, 2000, Applicants filed (i) a copy of said Notice to File Missing Parts; (ii) a Declaration and Power of Attorney; (iii) a Verified Statement of Small Entity Status; (iv) a check for \$410; (v) a return postcard; and (vi) a transmittal letter from attorney Daniel S. Kriegsman, said

transmittal letter explaining that the fees due, based on the current schedule of USPTO fees, should have been \$410 (instead of the \$445 (one-half of \$890) reflected by the Notice to File Missing Parts). A copy of the aforementioned February 28, 2000 filing is enclosed herewith.

The undersigned encloses herewith a copy of the Monthly Statement of Deposit Account dated March 31, 2000, for Account No. 111755. As can be seen, a \$35 fee has been charged by the Patent Office to this account, said fee presumably representing the \$35 difference between the \$445 post-filing, small entity filing fee that was in effect before December 29, 1999 ( $(\$760 + \$130)/2$ ) and the \$410 post-filing, small entity filing fee that has been in effect since December 29, 1999 ( $(\$690 + \$130)/2$ ).

In view of the above, the undersigned respectfully requests that the Patent Office credit Deposit Account No. 11-1755 in the amount of \$35 for the \$35 fee believed to have been charged in error.


If, for some reason, the Patent Office is unable to credit Deposit Account No. 11-1755 for the \$35 charged, the undersigned respectfully requests that a check in the amount of \$35 be issued to KRIEGSMAN & KRIEGSMAN, 883 Edgell Road, Framingham, MA 01701.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Patent Office is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

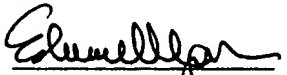
Respectfully submitted,

Kriegsman & Kriegsman

By:   
Edward M. Kriegsman  
Reg. No. 33,529  
883 Edgell Road  
Framingham, MA 01701  
(508) 877-8588

Dated: April 20, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 20, 2000

  
Edward M. Kriegsman  
Reg. No. 33,529  
Dated: April 20, 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/454,761 12/06/99 GIBSON

R 81448

DANIEL S KRIEGSMAN  
KRIEGSMAN & KRIEGSMAN  
883 EDGELL ROAD  
FRAMINGHAM MA 01701

0212/0120



NOT ASSIGNED

1761

DATE MAILED:

01/20/00

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 890.00

☒ 1. The statutory basic filing fee is:

☒ missing.

☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Everett Williams

Customer Service Center  
Patent Examination Division (703) 308-1202